IV2237851

Table of Contents

INVESTIGATIVE SUMMARY

INTERNAL AFFAIRS BUREAU **IV2237851**
INVESTIGATIVE SUMMARY

Subject: **Senne, Richard, Deputy Sheriff, Employee #[redacted]**

Unit: **Pico Station**

Date: **February 2, 2009.**

Location: **[redacted] Soft Winds Drive, Corona**

It is alleged, between the above dates, Deputy Richard Senne was in violation of [redacted]

This case involved Deputy Richard Senne, entering a storage room located at [redacted] and stealing a "Scotty Cameron" putter from a golf bag. Deputy Senne's image was captured on a security camera system entering the storeroom and taking the putter. Deputy Senne was contacted by Operations Manager [redacted] and was told he was captured on tape taking the putter. Deputy Senne responded to the golf course and returned the putter. He told staff employees he had lost his putter while playing golf on a prior date and thought the putter he took was his "found" putter.

Riverside County Deputy Sheriff [redacted] #[redacted] responded to the golf course and took a petty theft report under file number F09043013. The case was presented to Riverside County District Attorney's Office and was "rejected" for prosecution on March 20, 2009.

IAB Note: See Exhibit "A" for copies of the petty theft report under file number F09043013 and the District Attorney's "rejection" form.

IAB Note: See Exhibit "B" for a DVD containing the security footage capturing Subject Senne in the storeroom.

Civilian Witnesses

[redacted] **Night Valley Court, Corona** [redacted], was interviewed on June 23, 2009 at 0941 hours by IAB Sergeant David Bly. The interview took place over the telephone and was recorded for review.

Mr. [redacted] said he is a member at the [redacted] golf course in Corona and he stores his golf clubs at the facility. He said on or about Saturday February 7, 2009 he was at the golf course and noticed his putter was missing from his bag. He said the putter was a "Scotty Cameron" Red-X made by Titleist and he had bought the putter at the Pro-shop sometime in January 2009. He said his golf bag and clubs were stored at the facility in the clubhouse basement.

Mr. [redacted] said when he checks in at the Pro-shop to golf, employees would retrieve his clubs form the storage room and have them ready for him in a golf cart at the start of the course. He said sometimes when the employees were busy he has retrieved his own clubs from the basement.

Mr. [redacted] said the Operations Manger, [redacted] told him he would review the security tapes of the storage room area. He said sometime later, Mr. [redacted] told him he had discovered who took his putter and the putter was returned to them. He said he was desirous of a police report and a Riverside County Sheriff's Deputy [redacted] #4252) contacted him and documented a report.

Mr. [redacted] said he inspected the putter and identified it as his putter. He said the putter was a new product on the market and he has not seen any other golfer using that type of putter.

IAB Note: This investigator check with a "Scotty Cameron" product representative at 800-225-8500 and was told the Red-X3 and Red-X5 putters have been on the market for approximately two years.

IAB Note: Subsequently, It was discovered Mr. [redacted] putter is a Scotty Cameron model X-3

[redacted] was interviewed on June 18, 2009 at 1057 hours by IAB Sergeant David Bly. The interview took place at [redacted] Corona and was recorded for review. Mr. [redacted] was also interviewed by Riverside County Sheriff's Deputy [redacted] on February 12, 2009.

Mr. [redacted] said he is the Operations Manager of the [redacted] Club golf course. He said the Club has private memberships to the facility and the golf course is also open to the public. He said sometime in February 2009, Mr. [redacted] (private member) approached him and told him his putter was missing from his golf bag. He said Mr. [redacted] stores his clubs in the basement storeroom.

Mr. [redacted] said the facility has a security surveillance system that records and saves nine days of video. He said he reviewed the security video and saw a male enter the storeroom and take a club from Mr. [redacted] golf bag which was located near the storeroom front door. Mr. [redacted] said he did not recognize the male on the tape. Mr. [redacted] said he

reviewed the security video of the Pro-shop desk area minutes before the male entered the storeroom and he then reviewed check-in paperwork for that day (February 2, 2009 at approximately 1230 hours).

Mr. [redacted] said after reviewing the Pro-shop security video he discovered the male checking in minutes before the theft in the Pro-shop and the male in the storeroom was the same person. He said he reviewed the Pro-Shop check in paperwork and discovered the male's name was "Richard Senne."

Mr. [redacted] said he then contacted Subject Senne on the telephone. He told Subject Senne that it appeared he took a club from the storeroom without the owner's permission. Subject Senne told Mr. [redacted] he had lost his putter and he thought the putter he took was his. Mr. [redacted] advised Subject Senne he was observed on security video taking the putter and he needed to return the putter immediately or he would call the police. He said approximately twenty five minutes later, Subject Senne returned the putter to employee [redacted] in the Pro-shop. He said he did not see Subject Senne return the putter and he had no further conversations with him. Mr. [redacted] said after he received putter he called the police.

Mr. [redacted] said all lost and found items are kept in the Pro-Shop. He said when members or customers inquire about lost items, they are referred to the Pro-shop. He said as far as he knew, prior to the incident, Subject Senne never reported his putter lost to any of his staff members.

IAB Note: See Exhibit "A" page 5 and Mr. [redacted] transcribed interview for further information.

[redacted] was interviewed on June 18, 2009 at 1118 hours by IAB Sergeant David Bly. The interview took place at [redacted] and was recorded for review. Mr. [redacted] was interviewed a second time on July 16, 2009 at approximately 1424 hours by IAB Sergeant David Bly over the telephone. Both interviews were recorded for review. Mr. [redacted] was not interviewed by Riverside County Sheriff's Deputy [redacted]

Mr. [redacted] said he was not working on the day the putter was stolen. However, he said he was working in the [redacted] the day Subject Senne returned the putter. He said he was present when Subject Senne returned the putter and he heard Subject Senne say something about lost and found. Mr. [redacted] said, "He said something like, 'Sorry, but I thought it was you know, lost and found, but here you go'." And I kind of didn't say anything else. So." He said that was the first time he ever saw Subject Senne and Subject Senne did tell him he lost his putter. However, Subject Senne did not ask him to look for it.

Mr. [redacted] said the lost and found area is located in a backroom in the [redacted] He said items that are found are kept in the backroom (lost and found) for a week or longer. He said eventually, if the found item(s) are not claimed, the items would be moved to a room in the basement (not the storeroom where member's clubs are stored). He said if someone ask him about a lost item he would first check the [redacted] backroom. If the item is not there, he said he would radio another employee to check the room in the basement. He said he would not direct people to the basement to check for lost and found items. Mr. [redacted] said occasionally members would go to the basement area to get ice by themselves (not by his direction) or an attendant would help them.

Mr. [redacted] said (according records) Subject Senne checked in alone to play a round of golf on Wednesday January 28, 2009 at 1242 hours. He said no one by the name of [redacted] or "[redacted]" checked in that day to play golf. He said, Subject Senne checked in alone to play golf on February 2. 2009 at 1246 hours. Additionally, he said a party of two under the name of [redacted] [redacted] checked in right before Subject Senne on February 2, 2009. Mr. [redacted] said he does not know of a teenager son and father who play at the club.

IAB Note: See Exhibit "D" for a copy of the check in sheets for 01/28/08 and 02/02/09.

IAB Note: See Mr. [redacted] transcribed interview for further information.

Mr. [redacted] was interviewed by Riverside Deputy [redacted] on February 13, 2009. He said he was also working in the [redacted] when Subject Senne returned the putter. He said Subject Senne told him he had lost his putter and he thought the putter he took was his. He also said if any clubs are found they are kept in the [redacted]

IAB Note: M[redacted] is no longer employed at the Club and is living at an unknown location in northern California. See Exhibit "A" page 9 for Mr. [redacted] statements.

[redacted] was interviewed on June 18, 2009 at 1107 hours by IAB Sergeant David Bly. The interview took place at [redacted] and was recorded for review. Mr. [redacted] was also interviewed by Riverside County Sheriff's Deputy [redacted] on February 13, 2009.

Mr. [redacted] said he is an employee at the golf course and he works in the [redacted] checking in members and customers. He said sometime in February 2009, Mr. [redacted]

showed him a security video of a male taking a member's golf club from the basement storeroom. Mr. [redacted] additionally showed him a security video dated February 2, 2009 of the [redacted] He said the video depicted him checking in a male. He said he remembered that day and the male (Subject Senne) he was checking in. He said he remembered Subject Senne never told him he had lost a putter. He said the only conversation they had was related to him checking in Subject Senne.

Mr. [redacted] said the lost and found area is located in a backroom in the [redacted] He said items found are kept in the backroom (lost and found) for three to four weeks. He said eventually, if the found item(s) are not claimed, the items would be moved to a room in the basement (not the storeroom where member's clubs are stored). He said if someone asked him about a lost item he would first check the [redacted] backroom. If the item was not there, he said he or another employee would check the room in the basement. He said sometimes he would direct people to the basement with an employee, but he said he would never sent a person to the basement alone to check for lost and found items.

IAB Note: See Exhibit "A" page 8 where Mr. [redacted] told Riverside Deputy [redacted] he did not recall talking to Subject Senne on 02/02/09. See Mr. [redacted] IAB transcribed interview for further information.

[redacted] **Summer Place, Corona, 92881** [redacted], was interviewed on July 20, 2009 at 0839 hours by IAB Sergeant David Bly. The interview took place over the telephone and was recorded for review.

Mr. [redacted] said he does play at the [redacted] Golf Course, with the last time being on July 16, 2009. He said he does not specifically remember golfing on January 28, 2009 or February 2, 2009, but he said he did golf there during that time period. He said he does not know anyone named [redacted], but does often golf (as a twosome) with [redacted] Mr. [redacted] said he is familiar with Scotty Cameron putters. He said a "single" golfer named [redacted] did join them during that time period. Specifically, he said he does not recall any golfer using Scotty Cameron putters joining them and he does not know a "Rick" or "Richard Senne."

IAB Note: See Exhibit "D" for copies of golfers who checked in and played at [redacted] on January 28, 2009 and February 2, 2009. On January 28, 2009, Mr. [redacted] and another golfer (possibly Mr. [redacted] checked in and golfed at 1238 hours and Subject Senne checked in alone and golfed at 1246 hours.

Mr. [redacted] said when he plays with new golfers, as in meeting [redacted] he would get their contact number and enter it into his cell phone with "golf" proceeding the first name. He checked his cell phone and he told me he only has "[redacted]-golf" and a [redacted]golf", but he does not have a "Rick-golf" listed.

IAB Note: See Mr. [redacted] transcribed interview for further information.

[redacted] **Hidden Hills Drive, Corona, 92882,** [redacted], was interviewed on July 21, 2009 at 1147 hours by IAB Sergeant David Bly. The interview took place over the telephone and was recorded for review.

Mr. [redacted] said he does golf at the [redacted] golf course with [redacted] He said they normally golf as a twosome, but sometimes "single" golfers or another twosome would join them. He said he does remember golfing with Mr. [redacted] in February and January 2009. Mr. [redacted] said his is sure another golfer most likely joined them while they golf together, but he does not remember playing golf with a "Rick or Richard Senne."

Mr. [redacted] said he does not remember playing golf with anyone using "Scotty Cameron" putters, but he said he does not make it a point to focus on other golfers because he is focused on his game. He said he might noticed a putter if it is was new putter on the market, or if the other player made it point to show it off or praised the putter. He said he does not remember any golfer having a conversation with him regarding, boasting about, or praising, Scotty Cameron putters. He also said he does not recall a conversation with any golfer regarding someone's putting game would better if they used better putters, rather than one's talent alone.

[redacted] **Larkspur Court, Corona, 92883** [redacted], was interviewed on July 20, 2009 at 1221 hours by IAB Sergeant David Bly. The interview took place over the telephone and was recorded for review.

Mr. [redacted] said he remembered playing golf on January 28, 2009 with his father at [redacted]olf course. He said he remembered that day because it was the day after his father was diagnosed with [redacted] and it was the last timed they played together before his death. He said they started play in the late morning hours.

Mr. [redacted] said he knows a Deputy Sheriff named Rick and/or Richard and had played golf with him only one time and he believed it was on January 28, 2009. He said he had a knee injury during the time he played with Richard. He said he, Richard and another twosome played together that day before he played with his father that same day. He said it would have been in the early morning hours. He said the foursome played a skins game (friendly betting on each hole).

IAB Note: See Exhibit "D" for copies of golfers who checked in and played at Champions on January 28, 2009. Subject Senne checked to play golf at 1242 hours and Mr. [redacted] and/or his father are not listed on the document as checking in that day.

Mr. [redacted] said he thought Richard used an "Odyssey" putter. However, he later said Richard may have used a Scotty Cameron puter because he remembered the handle had the color red on it. He said the Odyssey putters also have the color red on the handle. He said Richard may have said he was playing with a new putter, but he is not sure and he wasn't really paying him attention.

Mr. [redacted] said after the golf match all four of them went into the bar and had a couple drinks. He said the names of the other two golfers were [redacted] (NFD) and [redacted] (NFD). He said he does not remember Richard bringing his putter into the bar. He said he does remember a conversation in the bar concerning how the type of putters could improve one's game, even if you're already a talented player (NFD). He said he is not aware of a "challenge on the putting green" and he did not hear them challenge each other. He said he did not see Richard, [redacted], or [redacted] retrieve their putters and go to the practice green. He said after they had their drinks, [redacted] and [redacted] left the bar to have lunch and Richard told him he had to leave to "go do work or something." He said he did not see Richard the rest of the day.

Mr. [redacted] said he last saw "Rick" at the [redacted] golf course in February or March. He said they only greeted each other and did not play together.

IAB Note: See Mr. [redacted] transcribed interview for further information.

[redacted]**, AKA** [redacted] **Hidden Court Street Corona 92881** [redacted], was interviewed on July 21, 2009 at 1228 hours by IAB Sergeant David Bly. The interview took place over the telephone and was recorded for review.

Mr. [redacted] said he is a golfer who has played at [redacted] golf course and people know him as [redacted]" He said he knows [redacted] and has golfed with him the past. He said it is possible he golfed with Mr. [redacted] during the month of January, 2009, but he is not sure. He said he does not know a person named [redacted] and he does not know a person named "Rick" or Richard Senne.

Mr. [redacted] said he does not remember an incident, after playing golf with Mr. [redacted] and two other golfers, where they were in the bar and the conversation turned to a putting challenge. He said he is pretty sure, that after a golf game, the fact him and two other golfers went back to the parking lot and retrieved their putters for a "challenge" on the practice green never happened. He said, "I don't recall that at all." He said he is 55 years old and when he's done playing eighteen holes of golf, he is "pretty much done" and tired. Mr. [redacted] did say that he believes a person's talent and swing does take precedence

over the equipment one would use and that is something he would tell someone.

Mr. [redacted] said he does not remember any golfer praising how good the Scotty Cameron putters are. He said that would be "a little unusual." He said everyone knows Scotty Cameron putters are a top notch putters. Mr. [redacted] said the only conversation he remembers hearing concerning a Scotty Cameron putter is that people were talking about a member's stolen Scotty Cameron putter.

IAB Note: See Mr. [redacted] transcribed interview for further information.

Law Enforcement Witnesses

Lieutenant Jose Chavez [redacted] Pico Station, was interviewed on July 21, 2009 at 1314 hours by IAB Sergeant David Bly. The interview took place at Pico Station and was recorded for review.

Lieutenant Chavez said he knows Subject Senne and they have golfed tog[redacted] past, the last time being sometime in early 2009, perhaps after the incident at [redacted] golf course. He said they were social golfers and they played together in late 2008. He said he owns a Scotty Cameron putter, a "Studio Model" with a flat head. Lieutenant Chavez said Subject Senne do not show any particular interest in his putter. He said he never remembered Subject Senne asking him to use, take practice swings, or play with his putter. He said he and Subject Senne never had a conversation concerning his Scotty Cameron putter.

Lieutenant Chavez said he has never seen Subject Senne use a Scotty Cameron putter and he believes Subject Senne uses a Ping putter.

SUBJECT INTERVIEW

Subject Deputy Richard Senne #[redacted] Pico Station (currently assigned to Correctional Services Transportation Bureau), was interviewed on July 15, 2009, at 1035 hoursby IAB Serheants David Bly and Diana Gealta. The interview took place at IAB and was recorded for review.

Subject Senne said he is 48 years old and an experienced golfer going back to his teenage years. He said he has played at 250 to 300 different golf courses. He said, "I've been playing since I was a teenager. Got four brothers we used to play competition quite a bit (between each other). Kind of fell off it a little bit when I was, after, after moving out but still staying touch with brothers and we play golf, you know, every other weekend type thing but every chance I get, I like to go out and play 18 holes. For the past, for the past maybe 10 years I've, I try to play golf once, once a week maybe."

Subject Senne said he had played at the [redacted] Golf Course in Corona approximately six times since April 2008 when the club opened to the public. He described the facility, saying, "The parking lot and the clubhouse along with the Pro-shop is on a top level. I haven't really been in to see the clubhouse. You walk through the [redacted] and that leads you down to the carts and you go play the course. So, I really don't know what the inside of the clubhouse looks like, but outside it's nice."

Subject Senne described the process when he checked into the club to play golf. He said, "You go in the [redacted] If you've got a reservation, time wise, you tell them your reservation, they'll get your money. They'll write your name, your phone number and give you a key to the cart and you go out grab a cart and you can drive it to the parking lot, pick up your clubs and then go over to the driving range and warm up. There's another double door on the opposite side (of the [redacted] where you enter that leads you to the golf carts." He said the staff at the [redacted] course preform the same duties as other staff members do at other courses he has played at. He said, "No. You've got, you've got guys that work the [redacted] that take the money and greet you and got your times down. You've got other guys that are cart boys, cart guys, and they've got specific jobs and no different than any other course, no."

Subject Senne said he played golf there on January 28, 2009 and had lost his Scotty Cameron putter. On January 29, 2009 he reported the putter lost to an unknown bar staff member via the telephone. He said, "I had played the course on January 28th, that was a Wednesday and I had lost it then and I had called the morning after, the 29th. And I, I know where I lost my putter and it was in the bar area and I asked for the bar area and I asked a male who answered the phone, did anybody turn in a red handled putter and he said no. And I said okay, I'll, I'll check with you again. I'll check with you daily." He said on January 28, 2009 after playing golf, he was in the bar where he had left his putter.

Subject Senne said he did not leave his name and/or telephone with the employee because he said he would continue to check with the staff on the status of his lost putter. He said, as quoted from his transcribed interview:

Bly: Why didn't you leave a name? Say here's my name and my number if any, if this club shows up it's mine?

Senne: Because I knew I was going to continue calling until someone had turned it in.

Bly: But you had an opportunity right then and there to notify everyone officially.

Senne: They never call you back.

Bly: So, the reason is because they wouldn't call you back?

Senne: Because I, I knew I had to follow through with it myself.

Bly: So the best way to follow through is to do what?

Senne: Just call them.

Bly: Did you call back?

Senne: No.

Bly: When was the next time you checked with them?

Senne: When I played. I knew I was going to play.

Bly: So it was, you called Thursday morning, so it was Thursday, Friday. So, you called Thursday morning, you didn't call back Thursday after that morning?

Senne: No.

Bly: Rest of Thursday, Friday, Saturday and Sunday. You went in Monday afternoon?

Senne: I thought that would be plenty of time for someone to turn it in and that they would have it, I was surprised they didn't have it.

Bly: When you talked to [redacted] the day that you checked in on Monday, did you give him your name and phone number and say call me?

Senne: When, when I checked in, yeah.

Bly: But did you say if you find this club give me a call?

Senne: No. I asked him if, if he, if anyone turned one in and then he has my name and number.

Bly: Did he say, he just said no? He didn't say wait a minute I'll go check?

Senne: No, he looked at his partner.

Bly: That was it?

Senne: Yeah.

Bly: Did his partner go check anywhere?

Senne: No, because he helped me with the computer.

Subject Senne previously said he had never been in the clubhouse and had only been in the [redacted] He was asked about this discrepance. He said, as quoted from his transcribed interview:

Bly: Prior you said you've never been any other place in the facility except the [redacted]

Senne: Well, the bar area is not, you know, the clubhouse.

Bly: Then what is the clubhouse?

Senne: It's kind of a restaurant. It's, where you make a turn after nine holes, you can go in and you can get drinks, sandwiches and then continue on with your course.

Bly: But I asked you if you were any, if you've been any other place in the facility and you said no.

Senne: Yes, sir. I'm, I'm...yes.

Bly: So which is it?

Senne: Yes, I've been there too.

Bly: Any other place you've been?

Senne: No, sir.

Bly: So you've been in the bar, right?

Senne: Yes.

Bly: That's not part of the restaurant?

Senne: That is, that is part of the restaurant.

Bly: So you've been in the restaurant/bar, it's really the same room I think.

Senne: Same room. Same facility.

Bly: And that's not part of the clubhouse?

Senne: No. Because then there's, there's many other rooms that I would consider the clubhouse.

Bly: Well, which, tell me what you would consider the clubhouse?

Senne: There's a, there's another bar area. Has TV's that can be seen from, from this area and probably a, a locker room. Probably another facility that has to do with the pool. I'm not sure.

Bly: So that's, so you're saying that's called the clubhouse and the restaurant/bar...

Senne: That's what I....

Bly: Restaurant/bar?

Senne: Yeah, that's what I would consider the clubhouse.

Subject Senne said when he reported his putter lost the unknown bar employee he did not leave his contact information. He said, as quoted from his transcribed interview:

Bly: The day that, the prior Thursday, you say you called and talked to someone in the bar, right?

Senne: Correct.

Bly: Did you ask to talk to the Pro-shop?

Senne: No, I did not.

Bly: And you just said, hey did anyone turn in a club?

Senne: Correct. I told him I lost my putter in the bar yesterday, last night, has anyone turned in a red handled putter and he said no.

Bly: And that was the end of the conversation?

Senne: That was it.

Bly: You didn't give him your name?

Senne: No.

Bly: You didn't say if someone found it, this is my name and phone number?

Senne: No.

Bly: Didn't ask to speak to the manager or someone in the [redacted]?

Senne: I'm thinking if someone would have found it in the bar they would have turned it in to the bar.

Bly: And you never, the day that, February 2nd, which is a Monday after that Thursday, you never asked anyone specifically where lost and found is?

Senne: No, sir.

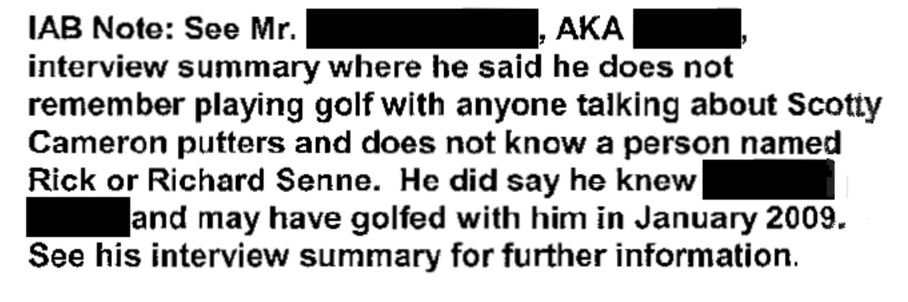
Subject Senne said on January 28, 2009, he had played the course with two other males. He said he does not know their names. He said, "Again, so again I checked in, went and played golf with another couple other guys. I don't remember their names, but I remember it was a father and a son and the son is a very good high school aged golfer and when he checked in was about the same time I checked in and I didn't see him pay and he happened to know [redacted] and [redacted] had, you know, talked to him. You know, 'how'd you do?' Oh, he had just had surgery on his knee. Yeah, and I hadn't seen the father yet but [redacted] and, and he was talking about the surgery and now he's back swinging and I didn't see him pay so I'm thinking the club is kind of helping him out with his career. So I kind of knew he was kind of a, a good golfer so I had rushed out there I wanted to play with, with him and that's when his dad came out from the parking lot so all three of us played."

IAB Note: See Exhibit "D" for a copy the [redacted] check in sheet for 01/28/09 where Subject Senne's check in time was 1242 hours.

IAB Note: The "son" is [redacted] and see his interview summary where he stated he believed he played golfed with Subject Senne on January 28, 2009, but along with two other males named [redacted] and [redacted] not with his father.

Subject Senne said they finished their round and met back in the restaurant where they engaged two other golfers in a conversation. He said, "And so after the round we got some, a little bit of side bet going on and you know not for any money or anything like that. For, for drinks and they had owed me a couple drinks so after we were finished we drove the carts out to the parking lot, we put our clubs away and we met back in the restaurant area. And there was another guy and his buddy already there, we talked about our round and we were sitting next to them and we got to talking about putters. And the conversation was about the ability of a good putter meaning the person. They were stating that they can go out with any putter and it, it won't matter if it's a $500 putter or a, a miniature golf putter and we got to debating about that and we ended going out, back out to the cars and grabbing our putters and I showed him, you know, my putter and, and you know he had one that wasn't that expensive. It was just a single blade all dinged up."

Subject Senne said he and the other two unknown golfers met on the practice putting green for a putting challenge, where Subject Senne said he used his Scotty Cameron putter. He said, "These, these were the other two. I don't, I don't know their names. But, we at the end of the little putting challenge, he ended up admitting that he did like my putter and they're could be a little bit of a difference. It's not just in the person, it has to do with the clubs too. So, we walked from the putting green back into the restaurant area and I had a, a few beers and you know they, they had taken off and I was still talking to the two guys that I was playing with. And I still had my putter. And I know I walked off and left it right there. That's how I know I left it in that restaurant bar area."



IAB Note: See Mr. [redacted], AKA [redacted], interview summary where he said he does not remember playing golf with anyone talking about Scotty Cameron putters and does not know a person named Rick or Richard Senne. He did say he knew [redacted] and may have golfed with him in January 2009. See his interview summary for further information.

IAB Note: See [redacted] interview summary where he said he did not see Subject Senne bring his putter into the bar and he was not aware of a "putting challenge" on the putting green.

Subject Senne first said he did not research information on Scotty Cameron putters prior to buying his putter, other than talking with a person (Lieutenant Jose Chavez #[redacted], Pico Station) who owns a Scotty Cameron. He said, "Only the, the good things that I was hearing about the putter. I don't know of anybody but the Lieutenant that owns one. I putted with his, yes. It's a different style head though. The only difference between the, the Lieutenant's and this one. Like I, like I said, the Lieutenant is the only one that I have known to have it. I, I heard they were nice putters. People who do have them, keep them. They don't keep switching like I do and it's all about the feel when it comes to putting because putting is, is half, almost half your score when you golf." Subject Senne said later he may have used department computers to research the putters, but was not sure.

Subject Senne said he bought the Scotty Cameron putter he lost in Las Vegas in November 2008. He said he bought the putter as "used" and he paid $125.00 for it. He said, as quoted from his transcribed interview:

Bly: You said the, the, you bought the first one in Vegas?

Senne: Correct.

Bly: In November of '08?

Senne: November, '08.

Bly: Where at?

Senne: It's either Badlands or Rio Secco.

Bly: Where are they located?

Senne: In Henderson, Nevada. Right outside of Vegas.

Bly: And you said Badlands and what was the other one?

Senne: Badlands or Rio Secco.

Bly: Those are golf shops or are they golf courses?

Senne: They are golf courses. Very nice golf courses. I, I go to Vegas and try to play during the summertime when, when the rates are down.

Bly: And did you pay cash or with credit card?

Senne: For my, for my used putter?

Bly: The one in Vegas.

Senne: I paid cash. It was $125.

Bly: Did you tell the Riverside Deputy who interviewed you that you owned that putter for six years?

> **AB Note: In Subject Senne first interview with Riverside County Deputy [redacted] Subject Senne indicated he had the Scotty Cameron putter for six years, page 3-4. In his second interview with Deputy [redacted] Subject Senne said he had the putter for four months, page 2. See Exhibit "C" for a CD containing both interviews conduced by Deputy [redacted]**

Subject Senne siad, as quoted from his first transcribed interview (February 13, 2009) with Riverside County Deputy [redacted]

[redacted] What type of putter are you missing?

Senne: It's a Titilist. It looked exactly like this member's putter. I mean, we...it's red handled. Double X. It's got a red cover to it. I mean, it looked, it looks exactly like mine. They're not that expensive.

[redacted] How much are they?

Senne: Probably between $110.00, $120.00 now. I've had mine for about...I had mine for about six years.

Subject Senne said, as quoted from his second transcribed interview (same day February 13, 2009) with Riverside County Deputy [redacted]

[redacted] And the Titilist that you had was also a Scotty Cameron? The one that's missing?

Senne: Yes. I lost my Scotty Cameron.

[redacted] And you had that one for six years?

Senne: The Scotty Cameron?

[redacted] Uh-huh (AFFIRMATIVE).

Senne: No. I've had my other three putters for, well, I, I do have one that I keep in the garage that I've had since teenager. My Scotty Cameron...it's probably four months old.

[redacted] Four months old?

Senne: Yeah.

[redacted] Do you have a serial number on your Scotty Cameron?

Senne: I bought the Scotty Cameron in Vegas. And the only reason I bought it is 'cause of the price. But I don't know if there's a serial number on Scotty Camerons or not. I've got serial numbers on my Ping clubs, and those are registered only because if something breaks, Ping replaces those for free.

[redacted] But you don't know if your Scotty Cameron's got a serial number?

Senne: No. I don't know if they carry serial numbers or not.

Subject Senne said he did not notice serial numbers on the Scotty Cameron putter he had lost, but he said the new Scotty Cameron he bought in March 2009 does have a serial on it. He said he did not have his initials on the lost putter and it did not have any identifying marks.

Subject Senne said, as quoted from his transcribed IAB interview:

Bly: And did you pay cash or with credit card?

Senne: For my, for my used putter?

Bly: The one in Vegas.

Senne: I paid cash. It was $125.

Bly: Did you tell the Riverside Deputy who interviewed you that you owned that putter for six years?

Brenneman: Do you have a transcript reference?

Bly: Yeah, it'd be the first interview page four.

Senne: I thought he was talking about my clubs. And I have, I have a set of Pings that I've had for about six years. So, I was thinking he was talking about my clubs not the Scotty Cameron putter. Because I state again, I tell him, four months. I know I tell him four months. Interview 2, page 2 last line. We were talking on cell phones and some of the times I had to, couldn't hear him and had him repeat the questions and this, there's no reason why I would have told him six years that I owned this, no.

Bly: What's the question that he asked you?

Brenneman: About what? Wait....

Bly: Before you answered I had them for six years.

Brenneman: Let's take a look here.

Bly: He asked you how much they were, right?

Senne: Yes. Putters.

Bly: Right. You're talking about all your putters, correct?

Senne: We were talking about the Titleist putter.

Bly: And he said how much are they? And you said probably between $110 and $120. That was, $110 and $120 now, but I've had mine for about six years.

Senne: I don't know why I said six years. I thought he was talking about my Ping putters, my Ping clubs.

Bly: But it's obvious to you he's talking about the Titleist, the Scotty Cameron?

Senne: Reading it on the transcripts, yes.

IAB Note: This Investigator (Sergeant David Bly) called and spoke with the [redacted] Mr. [redacted], at the [redacted] Golf Club, [redacted] Alta Drive, Las Vegas NV 98145, [redacted] Mr. [redacted] said the Club does not sell used golf clubs and they do not use or rent "Scotty Cameron" putters (now or in November 2008). He said all the clubs they rent are "Callaway" clubs. Additionally, I called and spoke with Mr. [redacted], a [redacted] employee, at the [redacted] Golf Club, [redacted] Grand Hills Drive, Henderson NV 89052, [redacted] He said he has worked in the Pro-shop for two and a half years. He said the Club does not sell used golf clubs and they do not use or rent "Scotty Cameron" putters (now or in November 2008). He said all the clubs they rent are "Callaway" clubs.

Suspect Senne said he played at the [redacted] Golf Course on February 2, 2009 . He said when he checked in, he asked the staff in the [redacted] if anyone turned in a red handled putter. He said, "I checked in at the [redacted] I told them I was a single and I asked [redacted], one of the guys that was working there, if anyone while he was checking me in, I asked him has anybody turned in a, a putter. Red handled putter, Titleist, Scotty Cameron putter and well, actually I asked him a red handled putter. And he said no. He looked at his partner, his partner shook his head no and [redacted] told me you can possibly check downstairs. I'm thinking downstairs where you get the golf carts, where they usually have maintenance stuff. Ice, tees, golf balls. Typical of any other golf course." He said [redacted] did not tell him a specific area or room downstairs and [redacted] did not call the area a lost and found. Subject Senne said he knew what he meant, saying, "I knew exactly what he was talking about. The downstairs area where they keep the golf carts." He also said he did not ask any employee that day where lost and found was located.

IAB Note: See Subject Senne first transcribed interview with Riverside County Deputy [redacted] page 3, where Subject Senne said he was not directed downstairs, but was told lost and found was downstairs.

Subject Senne said the downstairs area is a maintenance-storage garage. He said, "Down, downstairs is where they charge the golf carts and keep them in kind of a garage area overnight. They've got possibly 50-60 golf carts that run off batteries.

They all have to be charged after they're used. That's their storage facility." He said the garage is large and he has been in the garage before to get free golf tees. Subject Senne said, "I usually stop at the, the door. There's usually someone down there. You can't drive in, so you basically walk in and you ask the cart boy down there, you have any tees? Usually gives you tees." He said he had been in the garage one time prior to that day.

Subject Senne said after he picked up his cart he went downstairs to get ice where he discovered the putter he said he had lost. He said, "Then I got my golf cart and went out to the parking lot, no I noticed that the coolers did not have any ice. Coolers, the golf cart has a small cooler on the driver's side, a small cooler on the passenger side for water, Gatorade, what have you. And usually the golf carts, they're assigned to you because they have numbers on the side of the golf carts. So the number that I was assigned when I got there, I checked the coolers. It had no ice. So I drove the cart downstairs to get ice. And I stopped at the entrance, walked in, I saw a, about a 100 gallon blue and white Cooler ice chest and I opened the lid and it was empty. So, I looked around, I didn't see any ice machines. Usually the golf, golf facility makes their own ice so I was looking for an ice machine and on my left I see a door. So I walk over to the door looking for the ice machine, for ice, and I didn't see a machine but I notice my golf club. And my golf club, my putter is kind of unique. There's only one other guy that I've ever played golf with that has the Scotty Cameron putter and that's the Lieutenant at Pico Rivera. He's got a different putter head style than mine, but it's the same company. So, I, I got a little excited. I'm, I'm thinking to myself, they did find my putter. There it is. I focus in because it's nice and red. The putter cover, had two big X marks on it in black and the cover was red. That's all I focused in on, I walked in, I took the putter cover off to make sure that it was mine because of the different style putter head. Sure enough, it's mine. I take it and I walk out. I couldn't have been in there more than five, seven seconds." He said that even after [redacted] told him he could "check downstairs" for his lost putter, the only reason he went downstairs was to find ice.

Subject Senne said he did not see the placard sign that read "Employees Only" posted next to the entrance to the garage.

IAB Note: See Exhibit "E" for a picture of the placard posted at the entrance to the garage.

Subject Senne also reviewed pictures of the garage entry, the areas immediately to the right and left as you enter the garage. To the right is a large commercial ice machine. He said, as quoted from his transcribed interview:

Bly: And did you happen to notice the placard there? Right next to the entry there where it says employees only?

Senne: No, sir.

Bly: You didn't notice it that day?

Senne: No, sir.

Bly: You can see it there in the picture though?

Senne: Yes, sir.

Bly: And that's just a up close, says employees only. I think it's, excuse me, kind of a bronzy color I believe. You didn't see it that day though?

Senne: No, sir.

Bly: How many times have you been in there? Downstairs?

Senne: Probably one time before.

Bly: One time before? Did you see it that time?

Senne: No.

Bly: All right. Standing right at the entry of that garage door, this is the shop to the right. What do you see there?

Senne: A wall, I see some tanks. Machines.

Bly: What kind of machine is that?

Senne: It looks like their ice machine.

Bly: An ice machine and it's right to the right. When you take one step in you look to the right and that's the shop there to the right. And also in the photo it looks like there's some water purification tanks maybe. A couple, they're small up against the wall and then some replacement tanks, kind of in front of the ice machine. Also, in front of the ice machine there's a couple of Igloo type liquid containers. Did you see those?

Senne: Yeah, I think I didn't look this far.

Bly: I'm sorry can you speak up?

Senne: I did not look that far right. When I had looked in the ice chest which the ice chest should be right about here.

Bly: Right in the entry of the garage?

Senne: Uh-huh (AFFIRMATIVE).

Bly: When you say you came in, you looked right, correct? When you said you looked you looked left and you saw a door 20 feet away....

Senne: I didn't see the ice machine.

Bly: You didn't see the ice machine. That's a pretty big ice machine. It's not a small one.

Senne: I know.

Bly: It's, I guess, the best way I could describe it as a restaurant industrial type ice machine. Is that how you would describe it?

Senne: It's pretty big.

Subject Senne said, as quoted from his transcribed interview as he viewed a photograph of the storage room where he said he found his putter:

Bly: And then I walked in front of the door and took a picture of the door that's open and it's looking into the storage room. Now, what, what do you see there?

Senne: Golf clubs.

Bly: What else?

Senne: Bags.

Bly: Anything else?

Senne: Racks.

Bly: And you see any, looks like there's, some kind of tags on the racks?

Brenneman: You mean the white...?

Gealta: Labels.

Bly: The little labels? On the racks?

Senne: Yes.

IAB Note: See Exhibit "E" for a CD containing all the pictures taken at the Champions Golf Course and copies of the photos noted above.

Subject Senne reviewed the security video of the storage room and confirmed he was the person on the video. He did not see any jackets, hats, shoes, loose clubs, purses, or wallets or any other items that would indicate the area was a lost and found. He said there was no sign on the door labeling that area as the lost and found. He said, as quoted from his transcribed interview:

Bly: In the doorway kind of looking around. You, actually did you see yourself look inside that, I guess a trash can at the very beginning?

Brenneman: Can we restart it?

Bly: Yeah, we can. 'Cause it's kind of quick.

Senne: All right.

Bly: Yeah, watch kind of the doorway and see yourself. You kind of look towards the, that cart there that has the divet filler?

Senne: I'm, I'm looking for ice.

Bly: And you look over to the wall where the, that, where we described the table that had tees and golf balls? You walk towards there, you can't see what you do 'cause it's not in the shot.

Senne: Okay.

Bly: Some time passes. Trying to keep it down.

Senne: I don't, I don't think there was anything underneath that table that could have been ice.

Bly: Do you see yourself come back in the picture? Just your head there?

Senne: Yes.

Bly: Approximately 36 seconds pass where you were out of the shot. Do you know what you were doing? You don't know what you were doing?

Senne: I don't know.

Bly: 'Cause you, you, I asked you to describe what you did. As you came in you looked at the ice chest, no ice. Saw the door and said you walked over to the door looking inside saw a club. But we just saw that approximately 36 seconds passed and you haven't even come over to the door yet.

Senne: Right. I don't know if I'm waiting for the cart boy, I, I can't tell you what I did.

Bly: We'll go and then you...

Senne: Notice the door.

Bly: ...walk over to the door. You stop, you're looking.

Senne: Right. I focus right there.

Bly: You look inside the room for approximately five, six seconds. Do you remember what you were looking at?

Senne: At this point I focused in on my club.

Bly: For the five or six seconds that you were standing at the doorway, you're looking into the room, you know, we can see your body. We can see you're looking into the room but you're, the direction of your face was kind of hidden by the, the door itself. You're looking at the whole room?

Senne: No, initially for a, a ice machine.

Bly: You kind of scanned the room?

Senne: Kind of, kind of scanned, you know, as I'm coming around the door this way so I'm looking in this way and....

Brenneman: This way meaning the left?

Bly: Into the room.

Senne: Into, in...yeah.

Bly: That would be the best way to describe it.

Senne: Straight, into the room. I was not looking left down the racks. And then, and then I might have scanned left and that's when I noticed my club.

Bly: And now you're, I paused it but you were just starting to walk into the room?

Senne: Correct.

Bly: Here we go. And you directly went to the first golf club bag...

Senne: Yes.

Bly: ...on the rack and picked up a club.

Senne: My club. Which I thought was my club.

Bly: All right. Can you tell me what else was in that bag?

Senne: No. Probably, probably his other clubs.

Bly: Okay.

Senne: Or some other clubs. I, I say his because I know now it was a member's clubs.

Subject Senne said he never thought someone else might own a Scotty Cameron putter. He said, as quoted from his transcribed interview:

Bly: Did it ever cross your mind that someone else might own the same type of putter? You already said your Lieutenant had one, or at least had a Scotty Cameron.

Senne: It, it never crossed my mind. I had it fixed in my mind that that's mine. It was mine. I was excited they found it. No. I mean, if, if I noticed you know what I see now in the pictures, yeah.

Bly: Yeah, what?

Senne: It might have crossed my mind that hey, this might be somebody else's. But in my mind it was lost and found, I saw my putter, I checked to make sure it was the right head and I grabbed it and went and played golf.

Bly: If it was a different head, were you gonna search all the other clubs in there?

Senne: No, sir.

Bly: Why not? It was lost and found, why not?

Senne: Be...well, as a matter of fact I might have.

Bly: And how many clubs do you think were in there? I know we said 10 to 12 club bags.

Brenneman: You mean what he saw at the time or?

Bly: Yeah, yeah.

Brenneman: Or on the video?

Senne: I, I couldn't even tell you how many bags were in there. I, I focused on my putter, with the putter head.

Bly: So you stood there four to five seconds in the front of the door and you were looking for the ice machine, you scanned the room a little bit, you didn't see all the bags of clubs?

Senne: My initial, my initial view was still looking for the ice machine. It didn't click until I saw clubs that might have been lost and found and then that's when I focused in on my....

Bly: So you saw a bunch of clubs there and you decided that maybe this was lost and found?

Senne: No. I, I focused on, on one club.

Bly: But you just said...

Senne: Yes, I, I saw a bag. I didn't see the rest of the bags.

Bly: Even though they are right next to each other?

Senne: Right. I wasn't looking for a driver, I wasn't looking for, you know, any of these other bags of clubs. I, I was looking for my putter.

Subject Senne said he exited the garage entered his golf cart with the putter next to him and drove to the parking lot to retrieve his golf bag. He said after he picked up his golf bag he tried to get ice from the restaurant and was redirected back to the garage for ice. He said he spoke to an unknown "cart boy." Subject Senne said, "The guy I talked to definitely worked there. 'Cause he knew where to get me ice and he gave me some tees and a Nike ball. He definitely worked there. I pulled up to the garage again and, I followed him. In fact over to the right corner. Got ice."

Subject Senne said he had just remembered (during the interview) that the ice machine was in the garage, because he was stating he followed the cart boy to the ice machine. He said, as quoted from his transcribed interview:

Senne: Yes. 'Cause I was following him and I had the, I think I had the, the ice bucket that goes on the clubs with me and then he....

Bly: From the cart you mean?

Senne: ...from the cart. You can pull them off. So I was kind of helping him out.

Bly: And did you have a conversation with him?

Senne: Yes.

Bly: About what?

Senne: Well, initially the, the ice. Didn't really talk about the ice that was just helping him out and then he said you want some tees, I said yes. Or I asked him, can I get some tees. He said yes and then he said you want to see some balls. He showed me a couple of the balls that the marshal had picked up. Gave me a Nike ball and he said have a nice day and I turned and I told him I will now, I'm excited you found my club. I'm gonna have a great round. He said okay, have a great round.

Bly: Did you...

Senne: That was the extent of it.

Bly: That was the extent of it? Did you tell him hey I'm Rick Senne, and I lost my club but I found it here in your lost and found?

Senne: No, sir.

Bly: And I took it?

Senne: No, sir.

Bly: Do you think he knew what you were talking about when you said hey you found my club? I mean what was the purpose of that?

Brenneman: Of the statement?

Bly: Yes.

Senne: I was just excited that I got my putter back. I could have a good round.

Bly: Did you tell the person in the bar that you had found your club, putter?

Senne: No.

Bly: Did you tell anybody you found the putter?

Senne: No.

Bly: Did you tell anyone that you took the putter?

Senne: No. That's my downfall.

Bly: And why didn't you notify someone?

Senne: Looking back I should have. But I did, it was my putter. I mean....

Bly: Today do you still think it's your putter?

Senne: I do.

Bly: And why didn't you tell someone you took a putter from their building?

Senne: It, it, it just didn't, I didn't think I had to. I thought it was lost and found. I found my putter, why would go up there and say hey, you know, I'm taking my putter? But looking back on it, I should have. 'Cause then they would have told me, hey no it's not.

Bly: Well, I understand the words you're saying and I understand what you're saying but I guess what I'm, what I'm having a hard time grasping is the thought process behind it. Because if you saw some clubs say behind the red, behind the bar by the register and you thought one of those putters was yours and you took it would you not, would you have told someone you took a putter from behind the bar or would you have just taken it if you thought it was yours?

Senne: That one I would have taken too 'cause....

Bly: And not told anyone you went behind the bar?

Senne: Well, I don't think I would have gone behind the bar.

Bly: Well, what's the difference here? You went inside a garage then you went inside a room.

Senne: The difference....

Brenneman: Hold on.

Bly: Hold on.

Brenneman: I need to go get another tape, it's in the car.

Bly: To your car? Well, I'm gonna go ahead and stop mine at 12:17. We're back on tape it's 12:21, 22. I forgot where we were.

Senne: This, going behind the bar.

Bly: Yeah. Would you tell anyone that, hey by the way I saw a putter that's mine there and I went behind the bar and I grabbed it. Here it is, it's mine. I don't want any misunderstanding.

Senne: I don't think I would go behind the bar and I think you asked me what the difference was and I said there's, there's a big difference. The area that I went into other golf courses allow it. It's like a, I don't know if it's an industry thing but accessories to the golf, the golfers are in that area on other golf courses. That's what I'm used to. A public course. I didn't see the employees only sign. And I just though it was okay in that area for what I'm used to, to grab your own ice. Save a guy some trouble. Going behind a bar would be a different story.

Bly: How about going into a separate room that's inside the garage?

Senne: I, I think...

Brenneman: You mean in abstract or here?

Bly: In this particular instance. He's saying he thought it was okay, he said he thought it was okay to go in the garage for accessories, but once you're in the garage now there's a whole separate room that you entered.

Senne: Well, I'm still thinking it's that area.

Bly: And, and I, I understand what you're saying and I guess I'm still kind of hung up, I know you said you were looking for ice, but you were also looking for an employee, you're also looking for lost and found. Even if you saw an employee there and said hey, that's my club, you opened it up, you took it out you walked out just...

Senne: That's all that was on my mind.

Bly: ...just to be absolutely clear because that's a huge garage, why wouldn't you go right up to the pro shop and say hey, I found my club, I took it out of your, a room downstairs. I don't want any misunderstanding, this is my club.

Senne: Yeah, I, I should have done that.

Bly: Why didn't you though? I know you should have. We all kind of think now that. But why didn't you do it then?

Senne: I, I didn't think it was necessary. I mean, it was mine. In my mind, it was mine. I looked at the, the putter head, it was a mallet head. There's not that many putters out there like this one, just I thought it was mine. I mean, I'm 48 years old, I have four kids and, you know, I, I don't make it a practice to take things that aren't mine.

Subject Senne said he left the garage and played with two other golfers he never met before. He said, "Yes, I hooked up with two male golfers that I met on the driving range warming up, and I do that quite often. I'll go as a single knowing that I could hook up with another single or a double or even a triple to make a foursome." He said he thought, perhaps, their names were [redacted] and [redacted] and he has not played with them since that day.

IAB Note: See Exhibit "D" for a copy the [redacted]' check in sheet for 02/02/09. A twosome under the name of [redacted] checked in at 1238 hours and Subject Senne checked in at 1246 hours. [redacted] and [redacted] may have been the [redacted] Subject Senne played with that day.

Subject Senne said he did not talk to [redacted] and [redacted] about finding his putter but said they must have seen it while the played golf.

IAB Note: See [redacted] and [redacted] interview summaries where they stated they do not know or remember playing golf with a "Rick or Richard Senne. And Mr. [redacted] stated he does not recall any golfer using Scotty Cameron putters joining them to play golf.

IAB Note: For complete details of the interview refer to a copy of Subject Senne's transcribed interview.



County of Los Angeles

Sheriff's Department Headquarters

4700 Ramona Boulevard
Monterey Park, California 91754-2169



January 20, 2010

Deputy Richard Senne, #[redacted]

Dear Deputy Senne:

You are hereby notified that it is the intention of the Sheriff's Department to discharge you from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective the close of business February 10, 2010.

An investigation under File Number IAB 2237851, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/000.10,Professional Conduct, on or about February 2, 2009, while off duty, you behaved in such a manner as to bring discredit upon yourself and the Los Angeles County Sheriff's Department when you went to the Champions Club Golf Course in the City of Corona and took the personal property of Mr. [redacted] [a Scotty Cameron putter] from a storage room marked "Employees Only" located in the basement of the golf course facility. After taking the putter from Mr. [redacted] golf bag, you then left the storage room and admittedly played a round of golf. The incident in the storage room was captured on security video. Your actions are contrary to this Department's Core Values, Mission and Creed and as a deputy sheriff, they simply cannot be tolerated. Moreover, your actions damaged the Department's reputation and eroded the public's confidence in law enforcement as a whole.

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2. That in violation of Manual of Policy and Procedures Section 3-01/040.85, Cooperation During Criminal Investigation, on or about February 13, 2009, you gave false and/or misleading statements to Riverside Sheriff's Deputy [redacted] including but not limited to:

   a) that you inquired about your lost putter with an employee in the Pro-Shop named "[redacted]" [[redacted] who checked you in that day, and/or;

   b) that "[redacted]" told you "Lost and Found," was located downstairs, and/or;

   c) that you saw your Scotty Cameron putter in the storage room and then took it from the golf bag, and/or;

   d) that you owned your Scotty Cameron putter for approximately six years, and/or;

   e) that you owned your Scotty Cameron putter for approximately four months, and/or;

   f) that you initially brought your Scotty Cameron putter into the bar on January 28, 2009, and showed it to another golfer, and/or;

   g) that you called the golf course on January 29, 2009, and asked an employee if someone had found your Scotty Cameron putter.

3. That in violation of Manual of Policy and Procedures Section 3-01/040.75, Failure to Make Statements and/or Making False Statements During Departmental Internal Investigations, on or about July 15, 2009, during your subject interview, you made false and/or misleading statements to investigators, including but not limited to:

   a) that you asked an employee in the Pro-Shop named "[redacted]" [[redacted] if anybody had turned in a "red handled Titleist, Scotty Cameron putter," and/or;

b) that "[redacted]" did not say that "Lost and Found" was located downstairs, and/or;

c) that "[redacted]" said you could "check downstairs" for your putter, and/or;

d) that on January 28, 2009, you engaged in a bet with two other golfers about putting and then left the bar and went out to the putting green and afterwards, you brought your Scotty Cameron putter back into the bar and then inadvertently left it there, and/or;

e) that you called the golf course on more than one occasion to inquire if anyone had turned in a Scotty Cameron putter, and/or;

f) that you bought a "used" Scotty Cameron putter in Las Vegas in November 2008, at either Badlands or Rio Seco golf courses.

Even given your version of events concerning this incident, that you believed the Scotty Cameron putter in the storage room was your own missing Scotty Cameron putter, your conduct warrants termination of your employment with the Los Angeles County Sheriff's Department, as evidenced by, but not limited to, the following sections of the Manual of Policy and Procedures:

1. That in violation of Manual of Policy and Procedures Section 3-01/050.10, Performance to Standards, on or about February 2, 2009, you entered a storage room located at the Champions Club Golf Course in the City of Corona that was marked "Employees Only" and took a Scotty Cameron putter from a golf bag and then failed to report to anyone at the golf course that you had taken the putter from the premises. Your actions resulted in the owner of the putter reporting it as a theft to the manager of the Pro Shop who then reviewed security video footage and saw you taking the club and leaving with it. Thus you failed to conform to the work standards established for your rank and/or position wherein the reporting of such information would be a critical and essential component of your duties and responsibilities as a deputy sheriff.

Even given your version of events concerning this incident, that you believed the Scotty Cameron putter in the storage room was your own missing Scotty Cameron putter, you were untruthful about the circumstances surrounding the acquisition and loss of your Scotty

Cameron putter, as evidenced by, but not limited to the following:

2. That in violation of Manual of Policy and Procedures Section 3-01/040.85, Cooperation During Criminal Investigation, on or about February 13, 2009, you gave false and/or misleading statements to Riverside Sheriff's Deputy Wisniewski, including but not limited to:

    a) that you inquired about your lost putter with an employee in the Pro-Shop named "[redacted]" [redacted] who checked you in that day, and/or;

    b) that "[redacted]" told you "Lost and Found," was located downstairs, and/or;

    c) that you saw your Scotty Cameron putter in the storage room and then took it from the golf bag, and/or;

    d) that you owned your Scotty Cameron putter for approximately six years, and/or;

    e) that you owned your Scotty Cameron putter for approximately four months, and/or;

    f) that you initially brought your Scotty Cameron putter into the bar on January 28, 2009, and showed it to another golfer, and/or;

    g) that you called the golf course on January 29, 2009, and asked an employee if someone had found your Scotty Cameron putter.

3. That in violation of Manual of Policy and Procedures Section 3-01/040.75, Failure to Make Statements and/or Making False Statements During Departmental Internal Investigations, on or about July 15, 2009, during your subject interview, you made false and/or misleading statements to investigators, including but not limited to:

    a) that you asked an employee in the Pro-Shop named "[redacted]" [redacted] if anybody had turned in a "red handled Titleist, Scotty Cameron putter," and/or;

    b) that "[redacted]" did not say that "Lost and Found" was located downstairs, and/or;

c) that "[redacted]" said you could "check downstairs" for your putter, and/or;

d) that on January 28, 2009, you engaged in a bet with two other golfers about putting and then left the bar and went out to the putting green and afterwards, you brought your Scotty Cameron putter back into the bar and then inadvertently left it there, and/or;

e) that you called the golf course on more than one occasion to inquire if anyone had turned in a Scotty Cameron putter, and/or;

f) that you bought a "used" Scotty Cameron putter in Las Vegas in November 2008, at either Badlands or Rio Seco golf courses.

You may respond to the intended action orally or in writing. In the event that you choose to respond orally to these charges, you have already been scheduled to meet with Chief Thomas Laing on February 9, 2010, at 1300 hours, in his office, which is located at Sheriff Headquarters Bureau, 4700 Ramona Boulevard, Monterey Park, Room 423. If you are unable to appear at the scheduled time and wish to schedule some other time prior to February 9, 2010, for your oral response, please call Chief Laing's secretary at [redacted] for an appointment.

If you choose to respond in writing, please call Chief Laing's secretary to cancel your scheduled appointment, and send your response to the facts contained in this letter to Chief Laing's office by no later than February 9, 2010.

Unless you are currently on some other type of authorized leave, pursuant to Rule 16.01 of the Los Angeles County Civil Service Commission Rules, effective immediately, you are on paid administrative leave which will continue during the fifteen (15) business days you have to respond to the intended discharge or until the conclusion of your pre-disciplinary hearing. If you are presently on an authorized leave, that leave will continue during the fifteen (15) business days you have to respond to the intended discharge, or until the conclusion of your pre-disciplinary hearing.

Failure to respond to this Letter of Intent within fifteen (15) business days will be considered a waiver of your right to respond and will result in the imposition of the discipline indicated herein.

If you did not receive the investigative material on which your discipline is based at the time you were served with this correspondence, you may contact the Internal Affairs Bureau at (323) 890-5300, to obtain a copy of the case file.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Karyn Mannis

Karyn Mannis, Captain
Internal Affairs Bureau

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

KM:lh

c: Advocacy Unit
Employee Relations Unit
Chief Thomas Laing, Field Operations Region III
Internal Affairs Bureau
Office of Independent Review (OIR)
(File #2237851)



CIVIL SERVICE COMMISSION
COUNTY OF LOS ANGELES

February 22, 2012

FINAL COMMISSION ACTION

Subject of Hearing: *Petition of* ***RICHARD SENNE*** *for a hearing on his* ***discharge****, effective February 10, 2010, from the position of Deputy Sheriff, Sheriff's Department,* **Case No. 10-52**.

The Civil Service Commission, at its meeting held on February 15, 2012, approved findings in the above-entitled case. The objections submitted were over-ruled.

Since a copy of these findings has already been provided to all the parties, we have enclosed a copy of the signed formal order of the Commission for your records.

Anyone desiring to seek review of this decision by the Superior Court may do so under Section 1085 or 1094.6 of the Code of Civil Procedure, as appropriate. An action under Section 1094.6 can only be commenced within 90 days of the decision.

Lawrence D. Crocker
Executive Director

Enclosure

c: Richard Senne
Deborah Wadleigh
Jeffrey Hausman
Jerry Ellner

ROOM 522 KENNETH HAHN HALL OF ADMINISTRATION • 500 W. TEMPLE STREET, LOS ANGELES, CA 90012 • TELEPHONE (213) 974-2411 • FAX (213) 974-2534

BEFORE THE CIVIL SERVICE COMMISSION OF THE

COUNTY OF LOS ANGELES

In the matter of the **discharge**, effective February 10, 2010, from the position of Deputy Sheriff, Sheriff's Department, of:

RICHARD SENNE
(Case No. 10-52)

ORDER OF THE CIVIL SERVICE COMMISSION

On February 15, 2012, the Civil Service Commission of the County of Los Angeles, having read the foregoing Findings of Fact, and good cause appearing therefor, overruled the petitioner's objections. The Commission adopted as its final decision, the findings and recommendation of the Hearing Officer, Jerry Ellner, to sustain the Department in the discharge.

Dated this 22nd day of February, 2012.

Evelyn V. Martinez

EVELYN V. MARTINEZ, President

LYNN ADKINS, Member

Vange Felton /cpc

VANGE FELTON, Member

Carol Fox

CAROL FOX, Member

Z. GREG KAHWAJIAN, Member

LAW OFFICES OF JERRY ELLNER
CALIF. STATE BAR #79997

COPY

RECEIVED

COUNTY OF LOS ANGELES

CIVIL SERVICE COMMISSION

In the Matter of the Appeal of **RICHARD SENNE** **Appellant** **vs.** **COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT** **Respondent**	**CASE NO. 10-52** **FIDINGS OF FACT CONCLUSIONS OF LAW AND RECOMMENDATION**

1. INTRODUCTION

On February 11, 2010, Richard Senne, ("Appellant") was notified by Certified mail from the Los Angeles County Sheriff's Department ("Department") that he was discharged from his permanent position of Deputy Sheriff with the Department effective February 10, 2010. The Appellant filed a timely appeal to the Civil Service Commission ("Commission") and following compliance with Civil Service Rules 4 and 18, the matter was set for hearing before the Commission at its meeting of March 31, 2010. At the Commission meeting it was determined that in light of the Petitioner's denial of all the allegations in his letter of appeal, the granting of a

hearing in the referenced matter would be appropriate. The Department did not oppose a hearing. Accordingly, the matter was set for hearing on September 20, 2010 at 9:00 AM. Additional hearings were held on October 1,.2010, November 17, 2010, January 4, 2011, January 28, 2011, March 11, 2011 and July 8, 2011. The Appellant was represented by Deborah Schild-Wadleigh, Esq., of the law firm of Green and Shinee and the Department was represented by Jeffrey M. Hausman, Esq. of the Law Offices of Hausman & Sosa. Evidence, both oral and documentary, was received and the matter is now submitted for consideration by the Board.

2. ISSUES

The issues as defined by the Civil Service Commission for consideration by the Hearing Officer are as follows:

1. Are the allegations contained in the Department's letter of February 11, 2010, true?

2. If any or all are true, is the discipline appropriate?

3. BASIS OF ALLEGATIONS

The basis for the Department's decision to discharge the Appellant is as follows:

1) That he violated the Department's Manual of Policy and Procedures Section 3-01/030.05, General Behavior, and/or 3-01/000.10, Professional Conduct, on or about February 2, 2009, while off duty, Deputy Senne behaved in such a manner as to bring discredit upon himself and the Los Angeles County Sheriff's Department.

2) That he violated Manual of Policy and Procedures Section 3-01/040.85,

Cooperation During Criminal Investigation, on or about February 13, 2009, he provided false and /or misleading statements to a Riverside County Deputy Sheriff during the course and scope of an investigation.

3) That he violated Manual of Policy and Procedures Section 3-01/040.75, Failure to Make Statements and/or Making False Statements During Departmental Internal Investigations, on or about July 15, 2009, during an interview, he made false and/or misleading statements to investigators.

4) That he violated Manual of Policy and Procedures Section 3-01/050.10, Performance to Standards, on or about February 2, 2009, he failed to conform to the work standards established for his rank and/or position.

4. DEPARTMENT'S CONTENTIONS

The Department contends that the Appellant, a twelve year veteran employee of the Sheriff's Department, failed to meet the qualitative standards of the Department by engaging in discreditable, deceitful and dishonest behavior. Such behavior is not compatible with being a sworn peace officer; brings discredit to the Department and provides ample support for the Department's decision to discharge him.

5. APPELLANT'S CONTENTIONS

The Appellant understands the seriousness of the charges and denies the allegations. This incident arose from a mistaken belief that he was the owner of the property which he took. There was absolutely no intent on his part to take the property of another and when he discovered the mistake he promptly returned the item.

6. BACKGROUND OF THE CASE

On or about the 4th or 5th of February, 2009, the General Manager of the Champions Club Golf Course received a call from one of his members who said that a very expensive putter had been taken from his golf bag while it was being stored in the member storage area. As there was a video camera mounted in the storage area, the manager viewed eleven days of video tapes in an attempt to identify the person responsible for taking the missing putter. On one video tape he observed a male entering the storage area, where the member's bags are located, and remove the easily recognizable putter from a member's bag. The male in the video then left with the club and was seen to place it in his golf cart. After reviewing his records of players on the day in question, the manager was able to identify the male in the video as Richard Senne. Upon being contacted by the manager and told about the reason for the call, Senne, at first, denied that he had taken the putter. When told that he was seen on video and that he must return it, Senne brought the putter back to the golf course. The manager then notified the owner that the putter had been returned and, because he believed that Richard Senne had purposely taken the item he also asked the Riverside Sheriffs Department to investigate the matter. That led to the discovery that Senne was a deputy sheriff with the County of Los Angeles and that agency then undertook its own investigation. As a consequence, the Department concluded that Richard Senne had intentionally appropriated the property of another and he was thereafter discharged from his position with the Department on February 10, 2010.

7. TESTIMONY RECEIVED

From the Department:

As its first witness the Department called [redacted] Mr. [redacted] is currently the General manager at the Arrowhead Golf Course. On or about February 4th or 5th of 2010, Mr [redacted] was employed as the General Manager at the Champions Golf Club in Corona, California. He testified about how he was contacted in early February by one of his members by the name of [redacted] Mr. [redacted] told him that on February 7, 2010, he discovered that his very expensive Scotty Cameron putter was missing from his golf bag which was kept in the storage room at the Club. Mr. [redacted] undertook to investigate the complaint and viewed eleven days of videos from the storage facility camera. This camera covers the member storage area. He observed a male, subsequently identified as Richard Senne, enter the storage area, take the easily identifiable Scotty Cameron putter from the bag, remove and then replace the cover on the putter and then walk off with it. When Senne left the storage area, he put the putter in his golf cart and drove off.

[redacted] contacted Senne by telephone and demanded the return of the putter. When Senne denied taking it, [redacted] told him he was seen on the video and again demanded that it be returned promptly. Senne then returned the putter and [redacted] referred the matter to the authorities.

On cross-examination, Mr. [redacted] testified that the storage area is only open to employees. Mr. Senne had no business being in this area. There is a sign at the entrance that clearly states "Employees Only." The video he examined was shown to

the investigator from the Riverside Sheriff's Department.

Next to be called by the Department was Mr. [redacted] Having been sworn, Mr. [redacted] testified that he has worked at the Champions Club as an Assistant Professional Golfer for the last three years. In February, 2009, he was working at the Club at the time when a member had complained of a missing putter. He was on duty when Senne came in and returned the member's putter. Senne said that he had lost one just like it and asked if there was another one like it in Lost and Found. This was the first time he had heard that Senne had lost a putter. Senne told him that he went downstairs (cart barn) where he thought the Lost and Found was located. The witness then stated that he would never send anyone to the storage area to look for lost property because Lost and Found is located in the pro shop.

On cross-examination the witness testified that lost property is kept in the pro shop for about a week. After that it is sent downstairs. At the time that Senne returned the club [redacted] checked downstairs to see if a putter such as the one described by Senne was there but found none. When asked if the public is allowed into the cart barn, the witness replied that only members and employees are allowed there.

Deputy [redacted] was called by the Department. He is a member of the Riverside Sheriff's Department. In February, 2009, he responded to a theft report at the Champion's Club. There he spoke with Mr. [redacted] and other employees. He viewed the video of Mr. Senne in the storage room and observed him enter the storage area, remove the putter from the bag, partially remove and replace the cover

on the putter and then take it to his cart and drive off. He spoke with [redacted] one of the employees at the pro shop, and asked him if anyone had inquired about a lost putter in February [redacted] denied that anyone had asked him about a lost putter but he did confirm that there was a Lost and Found downstairs.

Deputy [redacted] also contacted Senne and interviewed him. Senne explained that he had already returned the putter which he believed was the one he had lost at the Club. When asked how long he had owned the putter, Senne replied that it had been six years. In a later interview, Senne told him he had purchased it in Las Vegas " a couple of months earlier." He concluded that Senne had committed a theft of the putter.

Next to be called was [redacted] Mr. [redacted] has been employed at the Champions Golf Club for one and a half years. He confirmed that lost items are stored in the pro shop or downstairs (cart barn). They are kept in the pro shop for about a month and if not claimed during that time they go downstairs. Customers are never directed to go down there alone. He learned about the taking of the member's putter from [redacted] They viewed the video together and he observed a man walk back and forth three times and then go into the storage room. After entering the member storage room, he grabbed a putter from a member's bag. [redacted] was later able to identify the man who took the putter.

On cross-examination, Mr. [redacted] stated that he assumed that the workers in the cart barn would be able to differentiate between members and nonmembers that go there. Also, although he was the person who checked Senne in that day he could not

identify him in the video. He also confirmed that Senne had never asked him about a putter he had lost.

Lt. Jose Chavez was called to testify. He has been with the Department for nine years and personally knows Senne. They have played golf together and also participated in a tournament. Chavez owns a Scotty Cameron putter similar to the one taken at the Club. He personally knows that Senne had a Ping putter. When they played in the tournament together, Chavez used his Scotty Cameron putter but Senne did not use such a putter. Had he done so, Chavez would have noticed it. They are very unique in appearance.

Thomas M. Laing was called. He is currently Chief of Field Operations in Region 3. He also knows Deputy Senne and was responsible for imposing the discipline. After reviewing the investigative reports and other pertinent documents, Chief Laing decided that a discharge was appropriate. Some of the facts that supported the discharge were that Senne asserted that he made contact with some of the employees at the Club inquiring about his lost putter. However, none of the employees had any recollection of Senne making that inquiry. Additionally, when first interviewed, he claimed he had owned the Scotty Cameron putter for six years but in a later interview he changed his story and said it was only four months. Also, Senne claimed he had purchased the putter in a "used" condition in one of two possible shops in Henderson, Nevada. The Department contacted both shops and they denied ever selling used Scotty Cameron putters.

Chief Laing's decision to discharge Senne was not taken lightly. The intentional

taking of the personal property of another is a serious matter and violates the core values of the Department. That, and Senne's lack of truthfulness are serious character flaws that solidified the decision to impose the discharge. Although Senne had no past history of discipline, his conduct was so egregious that the policy of progressive discipline would not apply here.

On cross-examination Chief Laing testified that during the case review the Department did not apply the usual standard of proof for theft since the case had been rejected for filing by the District Attorney's office. Instead, they used the "General Behavior" standard, in that Deputy Senne's behavior fell below the standard of behavior expected for a peace officer. Although this category does allow for the imposition of discipline ranging from a written reprimand to discharge, in Laing's mind, for all the reasons previously stated, the discharge was most appropriate. This was because his misconduct came to the attention of other police agencies such as Riverside Sheriff's Department and the Corona Police Department and was an embarrassment to the Los Angeles County Sheriff's Department.

Senne's performance evaluations, although satisfactory, were not a factor in this case. In making his determination for discharge, Laing considered all of the documented interviews and the inconsistent statements made by Senne such as to the length of ownership of the putter and his failure to prove the place of its purchase or any evidence of purchase such as a receipt. Senne gave the Department two possible places of purchase in Nevada, but no one at either of these two places could verify that he made the purchase of a used Scotty Cameron putter at their respective shops.

Sergeant David Bly, currently with the Internal Affairs Division of the Los Angeles County Sheriff's Department teststified that he was assigned to investigate the Senne case. His investigation included, among other things, an interview of Senne, four or five Champions Club employees, and telephone calls to Nevada. He obtained the video tape of the storage area. It showed Senne entering the member's storage area where there are approximately ten or twelve golf bags lined up. There are no loose items such as individual clubs or putters lying around. Senne claimed to have been looking for an ice locker there but there are only golf bags. He goes to one particular bag and is seen to remove the putter. He takes off the cover, examines the head and then replaces the cover. Senne then walks out of the storage area with the putter in hand.

Bly noted that during one interview, Senne said he had purchased the putter six years earlier. However, in another interview he changed his story and said he owned it for about four months.

Senne had played golf at the Champions Club on January 28, 2009, and he also played on February 2, 2009[redacted]had played with him on January 28th. Burns recalled that Senne had a putter with a red grip that day but there are red grips on Scotty Cameron and Odyssey putters. He didn't know which putter Senne might have used that day.

Senne told Bly that he lost his putter in the bar/restaurant at the Club, so Bly checked to see if anyone could corroborate his story. He could find no one that remembered seeing Senne with a Scotty Cameron putter. He also checked with the

vendors in Henderson, Nevada, where Senne claimed he had purchased the putter. Both shops denied that they ever sold used Scotty Cameron putters. Senne claimed he paid cash for the putter but he could not produce any receipt reflecting its purchase. Senne did, however, purchase a Scotty Cameron putter in March of 2009 and he had a receipt for that but this was after the fact.

The Department rested.

From the Appellant:

The Appellant called Deputy Sheriff Kevin Ahsmuhs as his first witness. Ahsmuhs is employed by the Los Angeles County Sheriff's Department and is currently assigned to the Gang Enforcement Team. He has known Senne since 2005 when they worked together at the Twin Towers. They also have worked together at Pico Rivera Station and occasionally play golf together.

He recalls that in late December of 2008, or early January of 2009, his [redacted] flew in from Wichita, Kansas on a business trip. He and his [redacted] played golf with Senne and he remembers that Senne had just returned from a golf trip in Las Vegas and he had brought a Scotty Cameron putter back with him. Senne told him that he had purchased that putter in Las Vegas. Ahsmuhs is an avid golfer and he knows that a Scotty Cameron putter is a highly regarded piece of golf equipment. He used the putter to take a few shots with it. There was no doubt in his mind that this was a Scotty Cameron putter.

On cross-examination, Ahsmuhs couldn't recall exactly when he, Senne and his father played together and he had no record in his calendar of that meeting.. He

thought that he used his ATM card to pay for playing that day but he doubted that he could find a copy of that transaction. His [redacted] might have a record of when he purchased his airline tickets to fly into Los Angeles. He would ask his [redacted] if he could find the records.

He and Senne did not meet or converse on the phone after that until shortly before the hearing commenced and Senne told him that he might be called to testify as a witness in the case. Senne said that he had lost his Scotty Cameron putter at the Club bar. He talked to the people there but they didn't see any putter. He thought he found it in a bag in the Lost and Found and took it but it turned out to belong to a member of the Club and he was now under investigation for taking someone else's putter.

The Appellant called Deputy Jose Gerard Ambriz. Ambriz is a Los Angeles County Deputy Sheriff assigned to the "COPS" team at Pico Rivera Station. He first met Senne at the Twin Towers around 2003. He has played golf with Senne and with other members of the Department including Captain Rothans and Lieutenant Chavez. They participated in the "With Hope" tournament. He knows that Senne had a set of Ping clubs and two putters, one of which was a Ping and the other a Scotty Cameron. He saw the red grip putter in Senne's possession in late 2008 and early 2009. Senne told him it was a Scotty Cameron putter. On redirect, the witness was less certain about the date that he saw the Scotty Cameron putter and said that he wasn't sure that is was late 2008 to early 2009 and it may have been in March of 2009.

The next witness called by the Appellant was Deputy Sheriff Brian Thibodeau. He is currently assigned to the Transportation Bureau and has been employed by the

Department for twelve years. He has played golf with Senne and considers him an honest and truthful person. He can afford to buy his own clubs and doesn't need to steal someone else's.

The Appellant then called Deputy Tim Wolford. As in the case of the previous three witnesses, he testified to the good character of Senne and could recall that he had both a Ping and Scotty Cameron putter. He and Senne first met in May, 2009, so the Scotty Cameron putter he saw would have been the one he purchased after the alleged loss of the first one at the Champions Club bar.

Richard Senne was called to testify. He discussed his employment history with the Department and his golf background. In 2009, he owned a set of Ping clubs and five putters. He purchased a Scotty Cameron putter in November, 2008, in Las Vegas for $140.06. He now produces a receipt (App. V). This document is purportedly a receipt from "Las Vegas Golf and Tennis" and reflects the sale of an unnamed putter to Rick Senne on November 7, 2008, for $140.06. It is marked as a clearance item and shows that it was paid for by cash. Senne explains that when he was interviewed by Internal Affairs he told them that he had kept the receipt but was unable to find it at the time. At the time of his Skelly he still had not found the receipt produced today. He spent two days looking for it and eventually found it between statements in a utility bills folder where it had been misfiled. Although there is no description of the putter on the receipt, (it just says "putter"), Senne was so excited about his good fortune in finding one at such a good price that he told his friends, Ambriz and Ahsmuhs. about it.

On January 28, 2009, he played at the Champions Club with [redacted] and his [redacted] After they finished they went to the bar at the Club to have a few drinks. After [redacted] and his [redacted] left, he got into a discussion about playing ability verses quality of equipment with a few men sitting next to him. He took one of the men to his car in the parking lot and showed him his Scotty Cameron putter. After playing with it for a while the man agreed with him that the quality of a putter can make a difference in the game. They had a few more drinks in the bar and then departed. That was when he left his Scotty Cameron putter behind. He realized that he left his putter at the bar later that night while he was cleaning his clubs. He called the bar the next morning and asked if anyone had turned in his putter but no one had. He doesn't know whom he spoke to and he didn't leave his name because he knew he was going to stay on it. He checked again on February 2nd, with [redacted] who told him no one had turned in a red-handled putter but to "check downstairs." He went to the garage area in his cart to get some ice for his ice chest. While in the garage he noticed a room with an open door and he walked over to see if there was an ice chest there. That's when he saw the putter which he believed to have been his and he took it.

At this time we view the video of the surveillance camera (Dept. 27). Senne describes his actions in the video. He admits that there are a number of golf bags in the storage room but claims that he only noticed his putter. He removed it from the bag, took it to his cart and went on to play.

When Deputy [redacted] the investigator from Riverside, called him and asked him how long he had owned the putter he said six years. He was not misleading him.

He thought he was asking about his Ping clubs. When he interviewed him a second time and asked how long he had owned the putter, Senne then understood that he meant the Scotty Cameron putter. That's when he said six months and that's what led to the confusion. He would never intentionally take anyone else's property.

On cross-examination, Senne was asked about the duration of time that it took on January 28, 2009, from the start of his warm up to the time he and the gentleman from the bar went out to the putting green to settle the dispute of ability versus equipment. It was generally conceded that the warm up began at about 1:15 in the afternoon and the putting green experience occurred about five hours later---about 6:15. It was also agreed by the parties that the sun had gone down on that day at about 5:20 p.m. and that there were no lights on the putting green at that time. This called into question his truthfulness about actually going to the putting green.

Senne described how he had called the bar the next morning to ask if anyone had turned in his putter. When he was told that no one had, he did not leave his name because he intended to follow up on the matter when he would next come to play there. He also did not ask the name of the person who answered the telephone.

He explained that on February Second, when he went into the cart barn for ice, he never noticed the sign at the entrance that said "employees only." He then began searching for ice and eventually ended up in the storage room looking for an ice machine. That's when he saw the Scotty Cameron putter that he thought was his. It was in a golf bag next to a number of other bags all lined up next to one another. He thought they were other lost clubs that were being kept there. When he took the

Scotty Cameron putter from the bag he never told anyone at the Club that he had taken it. He understands that he should have told somebody at the pro shop or some employee that he found his putter in the storage room but he was just glad that he had recovered his lost putter. He believed he had recovered it from Lost and Found and it wasn't necessary to notify anyone. He also believed the putter was his even when [redacted] told him it belonged to a Club member but he wasn't going to argue with someone from the golf course. It was not until Sergeant Bly told him the putter had a serial number on it and it was registered to Mr [redacted] that he conceded that it was not his.

Senne admits that when Deputy [redacted] had spoken with him on the phone he was talking about the Scotty Cameron putter. However, when [redacted] asked him how long he had owned "it" and he answered "six years," he believed he was now asking about his set of Ping Clubs. Senne searched for the receipt for the purchase of the putter. He knew he had kept it but couldn't find it anywhere.

Sergeant Bly was recalled as a rebuttal witness. He stated that during the interview he never asked Senne either verbally or by gesturing with his hands to "guess" where he might have purchased the Scotty Cameron putter. Senne told him it was at one of two possible places in Henderson, Nevada. When he received a copy of the receipt that Senne produced at the hearing, (App. V), he followed through on it with the Las Vegas Golf and Tennis Shop. He spoke with their buyer, Ms. [redacted] who told him that the name of Richard Senne never came up on her computer records as a customer. He also spoke with Mr. [redacted] of that same shop, [redacted] is the Sales

Associate and club fitter at Callaway Golf Center. He worked at the Las Vegas Golf and Tennis store in November, 2009 and was the General manager there. Both of them told him that they would not use the type of receipt supplied by Senne. (App. V). [redacted] also told him he couldn't imagine anyone else there using that receipt.

Mr. [redacted] was called by the Department as a rebuttal witness. He had worked at Las Vegas Golf and Tennis since 1995, at the Paradise Road location. After being shown Appellant's exhibit V, he admitted that they would occasionally use this type of receipt when a customer is having the item shipped to him. Then they put down the name and shipping information. They would also use this type of receipt when the computer breaks down due to a power outage. If that happened they would hand-write the receipt and put down the SKU number, the description of the product and the price. If it were a cash purchase, that would be indicated at the top of the receipt and not where it is on App. V. Also, they would never use a rubber ink stamp to mark a receipt as "paid." The receipt presented as the exhibit does not contain an SKU number either and they always enter that. They would include the name of the product as well and this receipt just says "putter." Furthermore, all items sold at the store, unlike the receipt, would have pricing ending in .95 and not.99. They also sold Scotty Cameron Putters at the store but never at the price of $129.99. The final question put to him on direct examination was whether he would ever accept a returned item with a receipt such as shown in App.V, and he definitively answered that he would not.

On cross-examination, the witness admitted that it was possible that a new and

untrained employee might have made all kinds of mistakes on that receipt including leaving out important information such as the SKU number and the product name but it goes contrary to their procedure and is very unlikely.

Mr[redacted] the [redacted] of Richard Senne, was called to testify. He lives in Henderson, Nevada. They play golf together fairly often. His [redacted] owns a Scotty Cameron putter which he purchased in Nevada. He showed it to him one day in the Fall. It was before Thanksgiving. His [redacted] is a very truthful person and would never take someone else's property. He remembers that he got it at a very good price and he was envious of him. He doesn't know what store he bought it in but it was on a day that Richard Senne played golf.

The next and final witness was [redacted] Mr. [redacted] is a retired Deputy Sheriff with the Los Angeles County Sheriff's Department. Prior to his retirement he held the position of Questioned Document Examiner. In that capacity it was his job to determine the authenticity of handwriting or documents. He continues to do that in private practice. He has been recognized as an expert in the field by the Los Angeles Superior Court as well as by Federal Courts. His curriculum vitae having been introduced, the parties stipulated to Mr. [redacted] expertise as a Questioned Document Examiner. Mr. [redacted] is shown the receipt from Las Vegas Golf and Tennis, (App. V), and is asked if he has seen it before. He replied that he has and was asked to compare the writing on the receipt with several handwriting exemplars from Richard Senne. He noted dissimilarities in handwriting between the receipt for the

Putter and the exemplars so as to conclude that Richard Senne is probably not responsible for the questioned writing.

On cross-examination, M[redacted] stated that he had done work for the law firm of Green & Shinee in the past. He also said that in making the comparisons, he worked from a photocopy of the documents and that makes it a little more difficult to make comparisons. He did not take an exemplar of Mr. Senne's [redacted] handwriting either.

Close of Oral Testimony:

At this time, the Appellant concluded the oral presentation of the case but the record was left open by agreement of the parties and with the consent of your Hearing Examiner for Appellant to present additional documentary evidence from the handwriting expert to the Department. It was also agreed by the parties that the record would be kept open until transcripts of the entire proceeding and written closing arguments are received.

The Appellant Rested.

8. CLOSING ARGUMENTS

FROM THE DEPARTMENT:

The Appellant took a putter that did not belong to him from the Champion's Golf Course on February 2, 2009. After being discovered on video in the act of taking the putter by the Course Manager, he chose to cover up his dishonest act with a series of false statements and falsified evidence.

The Department has introduced evidence that the Appellant, a Deputy Sheriff with

the Sheriff's Department, committed an intentional wrongful taking of the property of another and then tried to cover up his actions with a series of false statements and fraudulent documents bringing significant discredit to the Sheriff's Department. For all the reasons set forth, the Appellant's discharge should be sustained.

FROM THE APPELLANT:

The Appellant made an honest mistake in believing that the putter he took was his. He had lost a Scotty Cameron putter which he had purchased in Las Vegas only four months earlier. Upon his return to the course a few days later he sincerely believed that he found his missing putter in the Lost and Found. He never intentionally intended to take someone else's property and had he realized it was not his he wouldn't have taken it in the first place. Upon being informed by the Manager of the course that he had taken someone else's putter, he promptly returned it to the golf course pro shop. The Appellant has an unblemished record of eleven years with the Department and lack of any evidence of dishonesty. The Appellant's discharge should be rescinded in its entirety and he should be restored to his prior position with the Department.

9. DISCUSSION

We now come to a consideration of the charges against the Appellant; whether the Department has sustained its burden of proof and, if it has, whether the discharge is appropriate. In summary, the charges against the Appellant are 1) That by intentionally taking another person's property, i.e. the putter, his professional conduct was below the standards of acceptable behavior for a Deputy Sheriff of Los

Angeles County and 2) that he gave false and misleading statements during the course of a criminal investigation to a Riverside County Deputy Sheriff and also during the course of an internal affairs investigation by his Department.

Are the allegations true?

Throughout his testimony, Deputy Senne has strongly denied intentionally taking the Scotty Cameron putter. It was, he argues, an honest mistake. The evidence, as shown in the video, has him in the cart barn--- a place which is clearly off-limits to anyone but employees. A sign at the entrance unmistakably reads "employees only," and should have alerted Senne to the fact that he had no business being there.

Once inside, he is seen wandering further to the left where there is a storage area containing numerous golf bags with clubs in them neatly lined up and marked with tags. He is seen removing a putter from one of the bags; examining it and then taking it. He explains his behavior by saying he was of the belief that this was the Lost and Found and that he had recovered his missing and valuable putter. His explanation for believing that this was the Lost and Found is that [redacted] in the pro shop, told him to "check downstairs" when he had allegedly inquired about his own missing putter. But [redacted] denies that Senne ever asked him about a missing putter. He told that to Deputy [redacted] during the interview with him and he also testified to that under oath at the hearing [redacted] who also worked at the pro shop, also denied that Senne ever had inquired about his own missing putter.

When Deputy [redacted] interviewed Senne on two separate occasions by telephone and asked when he purchased his putter, he received two different

explanations. The first time he was told it was six years earlier and the second time he was told it was four months earlier [redacted] believed that Senne was being untruthful. Senne's explanation of the contradiction was that it was due to a miscommunication. He was speaking to [redacted] on his cell phone, he says, and the conversation was garbled. He thought that [redacted] was asking him about his Ping clubs and not the putter on the first conversation. He had bought the Pings six years earlier.

In his explanation as to how he lost the putter at the bar, Senne never tells [redacted] the story he told at the hearing. Supposedly, he met some men at the club bar and had a few drinks with them. They got into a discussion of ability versus equipment in successfully playing golf. To prove his point, they went to the practice green late in the evening and practiced with his putter. Afterward, they returned to the bar. It was there that Senne left his putter. Deputy [redacted] report contains a materially different story. According to the report, Senne told him that he met another guy in the bar and they began talking about putting. Senne told the subject that he had a Scotty Cameron putter and it worked well for him. Senne went outside and retrieved the club. He showed it to the subject ***inside the bar*** and then forgot it there. Nowhere in the report does it say that they went to the practice green.

Senne testified that he realized his putter was missing later that evening while cleaning his clubs. He decided to call the bar the following day. When he did so he was told that no one had turned in a missing Scotty Cameron putter. He did not ask whom he was speaking to and he did not leave his name or telephone number. The

reason he gave for not doing so is because he intended to follow-up on it the next time he was there. This explanation is wholly implausible. A reasonable person would have left his name and phone number with the bartender. He would also have asked for the name of the bartender so that he could follow-up with him again.

Senne's credibility is further tested when he never tells anyone in the pro shop that he has recovered his "lost" putter. According to the Appellant, when he does find his missing putter he tells the cart boy that he is excited because he has his putter and he will have a great game. However, no one can corroborate that he said that and Senne never told anyone else---not [redacted] not [redacted] not [redacted] not anyone, that he found his missing putter. One would expect that having complained of losing his valuable putter, which Senne says he did, he would have notified someone in authority at the Club that he had now recovered it.

Senne insists that he purchased his used Scotty Cameron putter at the pro shop at one of two courses in Henderson, Nevada in early November, 2009. However, he is unable at this time to produce a receipt for the purchase because, after searching for nearly two years, he has given it up for lost. Sergeant Bly, an Internal Affairs investigator for the Los Angeles County Sheriff's Department who was assigned to the case, contacted both of these places and was informed that neither of them sell used Scotty Cameron putters. Whereupon Senne, at the hearing, suddenly produces the previously lost receipt. It is a receipt from the Las Vegas Golf and Tennis Shop on Paradise Road, in Las Vegas and is dated November 7, 2009. The receipt carries the name of Rick Senne, it states only the word "putter" in the description area, a

price of $129.99, and that it is a "clearance" item, and it is stamped "paid" with the word "cash" underneath it. Senne testifies that he ransacked his house looking for the receipt and he finally found it stuck between utility bills after having been misfiled.

Mr. [redacted] the General Manager of the shop, denied that this was a legitimate receipt. For one thing, they would always put in an SKU number to identify the sold product and they would always identify the maker of the putter in the description portion of the receipt. Additionally, no items in the store other than possibly golf balls, carry a cents price of .99 such as in this receipt. If anything, it would be .95 cents.

He said that typically, a register receipt accompanies the sale of an item in the store. This type of sales receipt is ordinarily used only when an item is shipped to a customer. In those cases the "ship to" portion would contain the name and address of the customer. On those rare occasions when the power is out and they can't produce a register receipt, they do use this type of receipt to complete a sale. But even then, the information on the receipt would be complete. Most telling is that when asked if he would accept an item for return with this type of receipt, Mr [redacted] said he most definitely would not.

The Appellant called a Questioned Document Examiner to support his contention that he was not the one who wrote the information on the receipt for the putter. The witness explained very credibly the differences in handwriting between Mr. Senne and the writing on the receipt. However, no one ever accused Mr. Senne of being the writer of the receipt. In fact, it could have been written by anyone at Senne's bidding.

Several character witnesses were called by the Appellant to attest to his honesty and veracity. Some of them claimed to have seen him play at tournaments with the putter with the red handled grip that is characteristic of a Scotty Cameron putter. None, however, could say with certainty, that they saw him playing with such a putter either before January 28, 2009, (the date when Senne claimed to have played with the Scotty Cameron putter at the Champions Course),or in March, 2009, when he purchased another Scotty Cameron putter.

Lieutenant Chavez, who frequently, played at tournaments with Senne, testified that he never saw him play with a Scotty Cameron putter.

Having considered all of the evidence presented by the parties, both oral and documentary, I must conclude that the Department has met its burden of proof by a preponderance of the evidence and that Richard Senne is responsible for the intentional and wrongful taking of the property of another---to wit, the Scotty Cameron putter belonging to Mr. [redacted] My conclusion is based on the following reasons:

1) Senne had no business being in the cart barn, a place that was plainly marked "employees only,"

2) The storage area was clearly not a Lost and Found and could not reasonably be considered such,

3) [redacted] and [redacted] denied that Senne had ever inquired about a missing Scotty Cameron putter or that they told him that Lost and Found was in the cart barn,

4) Deputy [redacted] obtained contradictory statements from Senne as to the date he purchased the Scotty Cameron putter,

5) Senne told Deputy [redacted] that he left his putter at the bar after showing it to a man he was having a few drinks with. However, at the hearing, and for the first time, he testified that he had a dispute with a man and they went to the putting green and practiced with his putter.

6) Senne's claim that he called the bar to inquire about his lost putter but never asked who he was speaking with and never left his name or phone number is simply not believable as this is not the sort of thing that a reasonable person would do,

7) Senne never telling anyone in the pro shop or any other responsible employee that he had recovered his missing putter at the "Lost and Found" is also not believable as this is similarly inconsistent with what a reasonable person would do.

8) Senne's conflicting story about where he purchased his Scotty Cameron putter and his last minute production of a disputed receipt casts serious doubt upon his credibility, and finally,

9) His character witnesses could not establish with any certainty that they saw him play with a Scotty Cameron putter prior to January 28, 2009, or after March, 2009, and Lieutenant Chavez testified that he never saw him play with a Scotty Cameron putter.

Is the discipline appropriate?

Having found that the Department has sustained its burden by a preponderance of the evidence, I must conclude that the discharge of Richard Senne from his position

of Deputy Sheriff, Los Angeles County Sheriff's Department is appropriate.

10. FINDINGS OF FACT

The evidence, both oral and documentary, having been considered along with the contentions of the parties, I make the following findings of fact:

1. At all material times, the Appellant was employed as a Deputy Sheriff, in the County of Los Angeles Sheriff's Department.

2. On or about January 28, 2009, at the Champions Golf Course, the Appellant, Richard Senne, intentionally and wrongfully took the personal property of another,-- to wit a Scotty Cameron putter belonging to [redacted] with the intent to permanently deprive him thereof.

3. That during the course of the investigation of the taking of the putter, Richard Senne made false and misleading statements to investigators from the Riverside County Sheriff's Department and the Los Angeles County Sheriff's Department.

4. That as a consequence of his actions, Richard Senne brought discredit upon himself and the Los Angeles Sheriff's Department.

11. CONCLUSIONS OF LAW

1. The allegation that in violation of Manual of Policy and Procedures §§ 3-01/030.05, General Behavior; and 3-01/000.10, Professional Conduct, Richard Senne's actions are contrary to the Department's Core values, Mission and Creed is found to be true.

2.The allegation that in violation of Manual of Policy and Procedures § 3-01/040.85, Cooperation During Criminal Investigation, (two counts) on or about

February 13, 2009, the Appellant gave false and/or misleading statements to a Riverside County Deputy Sheriff is found to be true.

3. The allegation that in violation of Manual of Policy and Procedures § 3-01/040.75, Failure to Make Statements and/or Making False Statements During Departmental Internal Investigations, that Richard Senne made false statements to investigators is found to be true.

4. The allegation that in violation of Manual of Policy and Procedures §3-01/050.10, Performance Standards, that Richard Senne failed to report the intentional taking of the property of another and in so doing failed to conform to the work standards established for his rank and/or position is found true.

12. RECOMMENDATION

Having found that the allegations contained in the Department's letter of February 11, 2010, are true it is respectfully recommended that your honorable body adopt the findings of your Hearing Examiner and find that the discharge of Richard Senne as imposed by the Department be sustained.

Dated: November 7, 2011

Respectfully Submitted,

Jerry Ellner, Hearing Officer

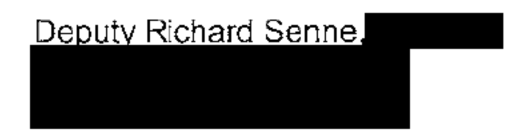


County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

February 11, 2010



Deputy Richard Senne [redacted]

Dear Deputy Senne:

On January 20, 2010, you were served with a Letter of Intention indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Number IAB 2237851. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. However, after review and consideration of the response submitted to support your position, your Division Chief determined that the recommended discipline is appropriate.

You are hereby notified that you are discharged from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective as of the close of business on February 10, 2010.

An investigation under File Number IAB 2237851, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. 
[redacted]

[redacted]

2. That in violation of Manual of Policy and Procedures Section 3-01/040.85, Cooperation During Criminal Investigation, on or about February 13, 2009, you gave false and/or misleading statements to Riverside Sheriff's Deputy [redacted] including but not limited to:

   a) that you inquired about your lost putter with an employee in the [redacted] named [redacted] [[redacted] who checked you in that day, and/or;

   b) that [redacted] told you "Lost and Found," was located downstairs, and/or;

   c) that you saw your Scotty Cameron putter in the storage room and then took it from the golf bag, and/or;

   d) that you owned your Scotty Cameron putter for approximately six years, and/or;

   e) that you owned your Scotty Cameron putter for approximately four months, and/or;

   f) that you initially brought your Scotty Cameron putter into the bar on January 28, 2009, and showed it to another golfer, and/or;

   g) that you called the golf course on January 29, 2009, and asked an employee if someone had found your Scotty Cameron putter.

3. That in violation of Manual of Policy and Procedures Section 3-01/040.75, Failure to Make Statements and/or Making False Statements During Departmental Internal Investigations, on or about July 15, 2009, during your subject interview, you made false and/or misleading statements to investigators, including but not limited to:

   a) that you asked an employee in the [redacted] named [redacted] [[redacted]f anybody had turned in a "red handled Titleist, Scotty Cameron putter," and/or;

b) that [redacted] did not say that "Lost and Found" was located downstairs, and/or;

c) that [redacted] said you could "check downstairs" for your putter, and/or;

d) that on January 28, 2009, you engaged in a bet with two other golfers about putting and then left the bar and went out to the putting green and afterwards, you brought your Scotty Cameron putter back into the bar and then inadvertently left it there, and/or;

e) that you called the golf course on more than one occasion to inquire if anyone had turned in a Scotty Cameron putter, and/or;

f) that you bought a "used" Scotty Cameron putter in Las Vegas in November 2008, at either Badlands or Rio Seco golf courses.

Even given your version of events concerning this incident, that you believed the Scotty Cameron putter in the storage room was your own missing Scotty Cameron putter, your conduct warrants termination of your employment with the Los Angeles County Sheriff's Department, as evidenced by, but not limited to, the following sections of the Manual of Policy and Procedures:

1. [redacted]



Even given your version of events concerning this incident, that you believed the Scotty Cameron putter in the storage room was your own missing Scotty Cameron putter, you were untruthful about the circumstances surrounding the acquisition and loss of your Scotty Cameron putter, as evidenced by, but not limited to the following:

2. That in violation of Manual of Policy and Procedures Section 3-01/040.85, Cooperation During Criminal Investigation, on or about February 13, 2009, you gave false and/or misleading statements to Riverside Sheriff's [redacted] [redacted] including but not limited to:

   a) that you inquired about your lost putter with an employee in the [redacted] named [redacted] [[redacted] who checked you in that day, and/or;

   b) that [redacted] told you "Lost and Found," was located downstairs, and/or;

   c) that you saw your Scotty Cameron putter in the storage room and then took it from the golf bag, and/or;

   d) that you owned your Scotty Cameron putter for approximately six years, and/or;

   e) that you owned your Scotty Cameron putter for approximately four months, and/or;

   f) that you initially brought your Scotty Cameron putter into the bar on January 28, 2009, and showed it to another golfer, and/or;

   g) that you called the golf course on January 29, 2009, and asked an employee if someone had found your Scotty Cameron putter.

3. That in violation of Manual of Policy and Procedures Section 3-01/040.75, Failure to Make Statements and/or Making False Statements During Departmental Internal Investigations, on or about July 15, 2009, during your subject interview, you made false and/or misleading statements to investigators, including but not limited to:

   a) that you asked an employee in the [redacted] named [redacted] [[redacted]f anybody had turned in a "red handled Titleist, Scotty Cameron putter," and/or;

   b) that [redacted] did not say that "Lost and Found" was located downstairs, and/or;

   c) that [redacted] said you could "check downstairs" for your putter, and/or;

d) that on January 28, 2009, you engaged in a bet with two other golfers about putting and then left the bar and went out to the putting green and afterwards, you brought your Scotty Cameron putter back into the bar and then inadvertently left it there, and/or;

e) that you called the golf course on more than one occasion to inquire if anyone had turned in a Scotty Cameron putter, and/or;

f) that you bought a "used" Scotty Cameron putter in Las Vegas in November 2008, at either Badlands or Rio Seco golf courses.

In taking this disciplinary action, your record with this Department has been considered, and a thorough review of this incident has been made by Department executives, including your Unit and Division Commanders.

You may appeal the Department's action in this matter pursuant to Rules 4.02, 4.05 and 18.02 of the Civil Service Rules.

You may, if you so desire, within fifteen (15) business days from the date of service of this notice of discharge, request a hearing on these charges before the Los Angeles County Civil Service Commission, 222 North Grand Avenue, Los Angeles, California 90012.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Larry L. Waldie

LARRY L. WALDIE
UNDERSHERIFF

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures and Civil Service Rules.

LLW:RAA:KM:bs

c: Advocacy Unit
Thomas Laing, Chief, Field Operations Region III
James C. Thornton, Captain, Pico Rivera Station
Internal Affairs Bureau
Office of Independent Review (OIR)
Kevin E. Hebert, Captain, Personnel Administration